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E.O. 12958: DECL: 04/11/2032
TAGS: CASC FAIR KHLS PTER ET
SUBJECT: AMIR MESHAL: POTENTIAL COURT CASE

REF: STATE 47351

Classified By: AMBASSADOR DONALD YAMAMOTO FOR REASONS 1.4 (B) and (D).

¶1. (S/NF) In response to reftel demarche, Ambassador spoke in detail with the Prime Minister prior to receiving the demarche cable. It is not necessary to raise the questions posed in reftel on potential Ethiopian Government charges against Meshal. The GOE has made it clear to us in private discussions, and passed to the Department in e-mail communications, that they will comply with our April 2 diplomatic note seeking Meshal's release and return to the U.S. The position of the Ethiopian intelligence service and all concerned has been to comply with U.S. requests on the Meshal case. They question the length of time the U.S. is taking to take charge of Meshal.

¶2. (S/NF) The GOE at this time does not plan to try Meshal and awaits USG disposition on his case. If the U.S. does not wish to take charge of Meshal or does not wish to return Meshal to the U.S. at this time, as raised in question 3 d., then we must request the GOE to continue to keep Meshal incarcerated until we have decided what we wish to do with him. The GOE does not have any plans at this time to prosecute or continue to hold him and wishes to comply with the Embassy's April 2 diplomatic note requesting the release and return to the U.S. of Meshal.

¶3. (S/NF) The upcoming trial on Friday, April 13 will be for a few foreign fighters with clear cases of ties to and activities with extremist groups in Somalia. Post assumes that the questions raised in reftel must therefore be in reference to other foreign fighters being held and those who will be charged and tried. We will seek those answers and report septel.

¶4. (S/NF) On the release of Meshal, post has been informed by the FBI today that a waiver to the no fly rule will be granted to Meshal. He may return to the U.S. directly. Currently we will request DS escort Meshal to the U.S., (most likely Washington, D.C.) and arrange with CA to notify Meshal's father to meet his son upon arrival. We note that we can arrange for his departure by Thursday, April 12 at the earliest. We will remain in contact with relevant agencies and bureaus on the handling of the Meshal case.

¶5. (S/NF) Comment: We want to get Meshal out quietly, prior to the trial date. We originally thought all foreign fighters would be charged. It is now clear only a few will be charged and that Meshal would not be charged at this time.

End Comment.

YAMAMOTO